

Request for Expedited Procedure  
Under 37 CFR § 1.116  
Group Art Unit: 2881  
Docket No.: H6808.0040/P040

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Yoshihiro Kimura et al.

Application No.: 10/779,749

Confirmation No.: 2045

Filed: February 18, 2004

Art Unit: 2881

For: Method of determining the concavity and  
convexity on sample surface, and charged  
particle beam apparatus

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Examiner: P. A. Johnston

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**AMENDMENT AFTER FINAL ACTION**

*Entered  
Do Not  
File  
11-19-2007*

**INTRODUCTORY COMMENTS**

In response to the Office Action dated August 24, 2007, please amend the  
above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which  
begins on page 3 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

**FEE CALCULATION**

Any additional fee required has been calculated as follows: